

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA

CHARLESTON DIVISION

RONALD SATISH EMRIT,

Plaintiff,

v.

CIVIL ACTION NO. 2:22-cv-00119

CENTRAL INTELLIGENCE AGENCY, et al.,

Defendants.

ORDER

This action was referred to United States Magistrate Judge Dwane L. Tinsley for submission of proposed findings of fact and recommendations for disposition pursuant to 28 U.S.C. § 636. Magistrate Judge Tinsley submitted his Proposed Findings & Recommendations [ECF No. 7] (“PF&R”) and recommended that Plaintiff’s Application to Proceed Without Prepayment of Fees and Costs [ECF No. 1] be **DENIED**, and that the Court **DISMISS WITH PREJUDICE** Plaintiff’s complaint [ECF No. 2], pursuant to 28 U.S.C. § 1915(e)(2)(B), and impose prefiling sanctions upon Plaintiff as a vexatious litigator, prohibiting him from proceeding *in forma pauperis* in any future cases in this District except as provided by the Court.

A district court “shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.” 28 U.S.C. § 636(b)(1)(C). This Court is not, however, required to review, under a de

novo or any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the findings or recommendation to which no objections are addressed. *Thomas v. Arn*, 474 U.S. 140, 150 (1985).

On August 23, 2022, the Court ordered that prefiling sanctions be imposed upon Plaintiff as a vexatious litigator. *Emrit v. Bd. of Immigr. Appeals*, 2:22-cv-00110 (S.D. W. Va. Aug. 23, 2022), ECF No. 12. Since 2013, Plaintiff has filed hundreds of cases in numerous federal courts nationwide with “[m]ost or all of these complaints hav[ing] been dismissed for improper venue or failure to state a claim.” *Emrit v. Fed. Bureau of Investigation*, No. 20-CV-265, 2020 WL 731171, at *1 (S.D. Cal. Feb. 13, 2020), *appeal dismissed*, No. 20-55332, 2020 WL 5648232 (9th Cir. July 24, 2020). Among these filings are at least five other complaints initiated in this Court, including a complaint filed as recently as August 9, 2021. *See, e.g., Emrit v. PNC Bank*, 2:21-cv-446 (S.D. W. Va. Aug. 9, 2021), at ECF No. 2. Notably, each civil action was transferred to another district court based on improper venue. *See, e.g., id.*, at ECF No. 4 (transferring the matter to the United States District Court for the Western District of Pennsylvania). Yet, despite the guidance and admonishments of multiple district courts, Plaintiff continues to file frivolous lawsuits in inappropriate venues, including in the instant case. [*See, e.g.,* ECF No. 2 (stating that Plaintiff “is filing this cause of action in the U.S. District Courts of Maryland, Eastern Virginia, and Western Virginia in Charlottesville because of the fact that the plaintiff does not know which location has exclusive, original or subject matter jurisdiction”)]. Indeed,

Plaintiff's present complaint is riddled with fantastical allegations, typical of his relentless filings, that bear no relation to any alleged claim. [See ECF No. 2 (discussing, among other things, that "the plaintiff met Kelly Clarkson," that "Goddard Space Flight Center (GSFC) . . . has a similar acronym to GSC for Girl Scout Cookies," and that the "Earth and solar system are in the Perseus arm of the Milky Way Galaxy")].

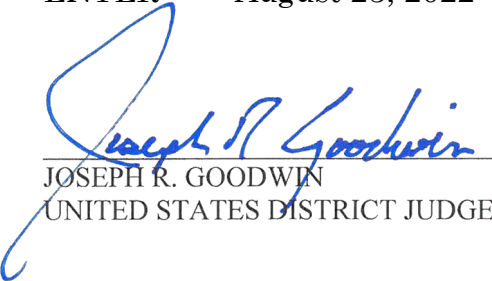
The Court reiterates and confirms herein the terms of the prefiling injunction against Plaintiff set forth in *Emrit*, 2:22-cv-00110, ECF No. 12:

- (1) Plaintiff is **ENJOINED AND PROHIBITED** from filing any additional complaints in this Court unless accompanied by either (a) full payment of the statutory and administrative filing fees or (b) an affidavit by a licensed attorney in good standing in this Court or the jurisdiction in which he or she is admitted, attesting that he or she has reviewed such complaint and that the factual allegations contained therein provide a good-faith basis for venue in this Court; and
- (2) The Clerk of Court shall not accept any pleadings from the identified Plaintiff herein, absent compliance with the above restrictions and is authorized to reject and refuse to file, and/or discard any new complaint, petition, document on a closed case, or any other document submitted in violation of the Court's Order.

Additionally, the Court adopts and incorporates the remaining portions of the PF&R and orders judgment consistent therewith. Plaintiff's Application to Proceed in District Court without Prepaying Fees [ECF No. 1] is **DENIED**, and the Court **DISMISSES WITH PREJUDICE** Plaintiff's complaint [ECF No. 2], pursuant to 28 U.S.C. § 1915(e)(2)(B).

The Court **DIRECTS** the Clerk to send a copy of this Order to counsel of record and any unrepresented party.

ENTER: August 23, 2022



JOSEPH R. GOODWIN
UNITED STATES DISTRICT JUDGE